

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

MDL No. 2804

This document relates to:

Case No. 1:17-md-2804

All Cases Noted on Attached Appendix A

JUDGE DAN AARON POLSTER

**STIPULATION AND [PROPOSED] ORDER
DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO CVS TRIBAL SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Tribal Plaintiffs identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendant CVS Pharmacy, Inc. (collectively and together with the Released Entities, the “CVS Defendants”¹) that, pursuant to the election of each Dismissing Plaintiff to participate in the CVS Tribal Settlement Agreement dated December 22, 2022, which is binding on the Dismissing Plaintiffs and the CVS Defendants (a copy of which is attached as Appendix B), all Claims of each Dismissing Plaintiff against any CVS Defendant are hereby voluntarily DISMISSED WITH PREJUDICE, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the CVS Tribal Settlement Agreement to the extent provided under that Agreement.

¹ The Released Entities are each and every entity that is a “Released Entity” as set forth in Section VI.A of the CVS Tribal Settlement Agreement, dated as of December 22, 2022, and Exhibit F thereto. A copy of the CVS Tribal Settlement Agreement is attached as Appendix B.

Dated: March 3, 2023

Agreed as to form and substance:

TRIBAL LEADERSHIP COMMITTEE

/s/ Lloyd Miller

Lloyd Miller / Don Simon / Whitney Leonard
Sonosky, Chambers, Sachse, Miller & Monkman, LLP

/s/ Geoffrey Strommer

Geoffrey Strommer / Caroline Mayhew /
Edmund Goodman
Hobbs, Straus, Dean & Walker, LLP

/s/ Tim Purdon

Tara Sutton / Tim Purdon
Robins Kaplan LLP

/s/ Lynn Sarko

Lynn Sarko
Keller Rohrback, L.L.P.

/s/ T. Roe Frazer

T. Roe Frazer
Frazer PLC

/s/ Peter Mougey

Peter Mougey
Levin Papantonio Rafferty

/s/ Scott Gilbert

Scott Gilbert
Gilbert LLP

/s/ Elizabeth J. Cabraser

Elizabeth J. Cabraser / Dan Drachler / Eric B. Fastiff
Lieff Cabraser Heimann & Bernstein LLP

/s/ Steve Skikos

Jane Joseph / Steve Skikos
Skikos, Crawford, Skikos & Joseph LLP

CVS PHARMACY, INC.

/s/ Eric R. Delinsky _____

Eric R. Delinsky
Alexandra W. Miller
Paul B. Hynes, Jr.
Zuckerman Spaeder LLP

SO ORDERED:

Dated: _____

HON. DAN AARON POLSTER